

Issues Addressed in these Amendments

May 16, 2014

With the reauthorization of the Magnuson Stevens Act in 2007 (NMFS 2007), the South Atlantic Fishery Management Council (SAFMC) was required to develop accountability measures for all of the species it manages that have annual catch limits. Recent plan amendments modified the criteria by which accountability measures would be implemented for a number of species such as king and Spanish mackerel, dolphin and wahoo (GMFMC/SAFMC 2011; SAFMC 2013). The SAFMC is now considering modifying the accountability measure triggering criteria for snapper grouper species and golden crab. Adjusting the accountability measure criteria in this amendment will help to bring consistency across species managed by the SAFMC.

The SAFMC's Dolphin Wahoo Advisory Panel requested the SAFMC reconsider how it allocates dolphin between the recreational and commercial sectors. This action was originally considered in Dolphin Wahoo Amendment 5 (SAFMC 2013), but the SAFMC removed it for reconsideration at a later date.

Actions and Alternatives Currently Being Considered

Action 1. Revise accountability measures (AMs).

Alternative 1 (No Action). Retain the current commercial and recreational AMs, if applicable, for black grouper, mutton snapper, yellowtail snapper, unassessed snapper grouper species, greater amberjack, red porgy, gag, golden tilefish, red grouper, red snapper, snowy grouper, wreckfish, and golden crab.

Alternative 2. If commercial landings as estimated by the Science and Research Director reach or are projected to reach the commercial ACL, the Regional Administrator shall publish a notice to close the commercial sector for the remainder of the fishing year. On and after the effective date of such a notification, all sale or purchase is prohibited and harvest or possession of this species in or from the South Atlantic EEZ is limited to the bag and possession limit. This bag and possession limit applies in the South Atlantic on board a vessel for which a valid Federal commercial or charter vessel/headboat permit for South Atlantic snapper grouper, dolphin wahoo, or golden crab has been issued as appropriate, without regard to where such species were harvested, i.e., in state or Federal waters. Additionally,

Sub-alternative 2a. If the commercial ACL is exceeded, the Regional Administrator shall publish a notice to reduce the commercial ACL in the following fishing year by the amount of the commercial overage, only if the species is overfished.

Sub-alternative 2b. If the commercial ACL is exceeded, the Regional Administrator shall publish a notice to reduce the commercial ACL in the following fishing year by the amount of the commercial overage, only if the total ACL (commercial ACL and recreational ACL) is exceeded.

Sub-alternative 2c. If the commercial ACL is exceeded, the Regional Administrator shall publish a notice to reduce the commercial ACL in the following fishing year by the amount of the commercial overage, only if the species is overfished and the total ACL (commercial ACL and recreational ACL) is exceeded.

Alternative 3. If recreational landings, as estimated by the Science and Research Director, exceed the recreational ACL, then during the following fishing year, recreational landings will be monitored for a persistence in increased landings.

Sub-alternative 3a. If necessary, the Regional Administrator shall publish a notice to reduce the length of fishing season and the recreational ACL in the following fishing year by the amount of the recreational overage, only if the species is overfished. The length of the recreational season and recreational ACL will not be reduced if the Regional Administrator determines, using the best scientific information available, that a reduction is unnecessary.

Sub-alternative 3b. If necessary, the Regional Administrator shall publish a notice to reduce the length of fishing season and the recreational ACL in the following fishing year by the amount of the recreational overage, only if the total ACL (commercial ACL and recreational ACL) is exceeded. The length of the recreational season and recreational ACL will not be reduced if the Regional Administrator determines, using the best scientific information available, that a reduction is unnecessary.

Sub-alternative 3c. If necessary, the Regional Administrator shall publish a notice to reduce the length of fishing season and the recreational ACL in the following fishing year by the amount of the recreational overage, only if the species is overfished and the total ACL (commercial ACL and recreational ACL) is exceeded. The length of the recreational season and recreational ACL will not be reduced if the Regional Administrator determines, using the best scientific information available, that a reduction is unnecessary.

Alternative 4. If recreational landings reach or are projected to reach the recreational annual catch limit, National Marine Fisheries Service will file a notification with the Office of the Federal Register to close the recreational sector for the remainder of the fishing year, unless, using the best scientific information available, the Regional Administrator determines that a closure is unnecessary.

Sub-alternative 4a. If the species is overfished.

Sub-alternative 4b. Regardless of stock status.

Action 2. Revise the sector allocations for dolphin.

Alternative 1. No Action. The recreational sector allocation for dolphin is 92.46%. The commercial sector allocation for dolphin is 7.54%. The sector allocations for dolphin were set in the Comprehensive ACL Amendment (SAFMC 2011) and updated in Dolphin Wahoo Amendment 5 (SAFMC 2013) using the sector allocation rule where 50% of sector allocations are based on a longer term landings series (1999 – 2008) and 50% of the sector allocations are based on a shorter time series (2006-2008).

Alternative 2. Establish the sector allocations for dolphin that were in place prior to the Comprehensive ACL Amendment making the “soft cap” allocations the sector allocations.

The recreational sector allocation for dolphin is 87%, and commercial sector allocation is 13%.

Alternative 3. Set the commercial allocation at its highest percentage of the total catch over the past 5 years (2008-2012). The recreational sector allocation for dolphin is 86%, and commercial sector allocation is 14%.

Alternative 4. Set the commercial allocation at the average of the percentages of the total catch over the past 5 years (2008-2012). The recreational sector allocation for dolphin is 90%, and commercial sector allocation is 10%.

Alternative 5. Modify the time series by which allocations were specified for the two sectors.

Allocation by sector = (0.5 * catch history) + (0.5 * current trend)

Sub-alternative 2a. Catch history = average landings 1986-2011, current trend = average landings 2009-2011). 2011 is the last year before ACLs went into place.

Sub-alternative 2b. Catch history = average landings 1986-2012, current trend = average landings 2010-2012). 2012 is the most recent year of complete landings availability.

Sub-alternative 2c. Catch history = average landings 1986-2012, current trend = average landings 2006-2012). 2012 is the most recent year of complete landings availability.

Note: **Alternative 5** is an additional alternative added to **Action 2** after it was taken out of Amendment 5.

| | Alternative 1 | | Alternative 2 | | Alternative 3 | | Alternative 4 | |
|--|----------------------|------------|----------------------|------------|----------------------|------------|----------------------|------------|
| Allocation | Percent | Lbs ww | Percent | Lbs ww | Percent | Lbs ww | Percent | Lbs ww |
| Current Total ACL = 14,596,216 lbs ww | | | | | | | | |
| Recreational | 92.7% | 13,530,692 | 87% | 12,698,708 | 86% | 12,552,746 | 90% | 13,136,594 |
| Commercial | 7.3% | 1,065,524 | 13% | 1,897,508 | 14% | 2,043,470 | 10% | 1,459,622 |
| Total ACL = 15, 344,846 lbs ww (if Dolphin Wahoo Amendment 5 is approved) | | | | | | | | |
| Recreational | 92.46% | 14,187,234 | 87% | 13,350,016 | 86% | 13,196,568 | 90% | 13,810,361 |
| Commercial | 7.54% | 1,157,612 | 13% | 1,994,830 | 14% | 2,148,278 | 10% | 1,534,485 |

Proposed Timing for the Generic Accountability Measure and Dolphin Allocation Amendment

- South Atlantic Council will review the document at the June 2014 meeting and vote whether to send the document out for public hearings.
- Public hearings in August 2014.
- South Atlantic Council takes final action in September or December 2014.